



**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION**
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By ECF

The Hon. Mary Kay Vyskocil
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Securities and Exchange Commission v. Luckin Coffee, Inc.*, 20-cv-10631 (MKV)

Dear Judge Vyskocil,

Plaintiff Securities and Exchange Commission ("Commission") respectfully submits this letter to inform the Court that the Commission and Luckin Coffee, Inc. ("Luckin") have reached a proposed settlement in the above-referenced case. The undersigned has filed via ECF the proposed judgment (Dkt. No. 5-1) along with Luckin's executed consent (Dkt. No. 5-2) for the Court's consideration.

The proposed judgment is fair and reasonable and in the public interest, in light of *SEC v. Citigroup Global Markets, Inc.*, 752 F.3d 285 (2d Cir. 2014). Among other things, the proposed judgment would: (1) permanently enjoin Luckin from committing additional violations of the federal securities laws the Commission has charged it with violating, namely committing fraud in connection with the offer, purchase and sale of securities, (2) order Luckin to pay a civil penalty in the amount of \$180 million (USD).

The Commission respectfully asks that the Court approve the proposed consent judgment.

Respectfully submitted,
S/ Melissa Armstrong

cc: All counsel of record (by email)